

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD B. ROBERTS,

Plaintiff,

v.

UNITED PARCEL SERVICE,

Defendant.

Case No. C16-1812-RSL

REPORT AND RECOMMENDATION

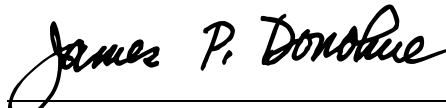
Plaintiff Richard B. Roberts is proceeding *pro se* in the above-entitled action and filed an amended application to proceed *in forma pauperis* (“IFP”) on December 5, 2016. Dkt. 4. By Order dated December 13, 2016, the Court sealed and denied plaintiff’s IFP motion out of concern that plaintiff had listed the names of several minor children on the second page of the financial affidavit, despite a previous admonition by the Court not to do so. Dkt. 5. The Court directed plaintiff to file a second amended IFP application within thirty (30) days. *Id.* When plaintiff failed to file a second amended IFP application or pay the applicable filing fee for this civil action, however, the Court issued an Order to Show Cause why this case should not be dismissed. Dkt. 6. Plaintiff was also advised that failure to correct these deficiencies would result in dismissal of this matter.

1 To date, however, plaintiff has failed to submit a properly completed IFP form or attempt
2 to correct the deficiency. In addition, plaintiff has failed to respond to the Court's Order to Show
3 Cause why the case should not be dismissed, despite being directed to do so by no later than
4 February 18, 2017. Dkt. 6. Accordingly, the Court recommends that plaintiff's proposed
5 complaint, Dkt. 1-1, be DISMISSED without prejudice for failure to pay the filing fee or submit
6 an adequate IFP application. A proposed order accompanies the Report and Recommendation.

7 Objections to this Report and Recommendation, if any, should be filed with the Clerk and
8 served upon all parties to this suit by no later than **March 16, 2017**. Failure to file objections
9 within the specified time may affect your right to appeal. Objections should be noted for
10 consideration on the District Judge's motion calendar for the third Friday after they are filed.
11 Responses to objections may be filed within **fourteen (14)** days after service of objections. If no
12 timely objections are filed, the matter will be ready for consideration by the District Judge on
13 **March 17, 2017**.

14 This Report and Recommendation is not an appealable order. Thus, a notice of appeal
15 seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
16 assigned District Judge acts on this Report and Recommendation.

17 DATED this 23rd day of February, 2017.

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19 JAMES P. DONOHUE
20 Chief United States Magistrate Judge
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